



1617

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/072,272	
	Filing Date	February 6, 2002	
	First Named Inventor	H. Andrew STRONG	
	Art Unit	1617	
	Examiner Name	S. Sharareh	
Total Number of Pages in This Submission	3	Attorney Docket Number	273012012500

RECEIVED

NOV 12 2003

TECH CENTER 1600/2900

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks Customer No. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Karen R. Zachow, Ph.D. - 46,332
Signature	<i>Karen R. Zachow</i>
Date	November 3, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>11-3-03</u>	Signature: <u><i>[Signature]</i></u> (Michael Boyd)



41

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701-3271
WWW.FULBRIGHT.COM

1640
RECEIVED
NOV 10 2003
TECH CENTER 1001/2000

SHIGHLANDER@FULBRIGHT.COM
PARTNER
DIRECT DIAL: (512) 536-3184

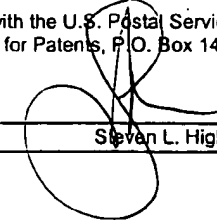
TELEPHONE: (512) 474-5201
FACSIMILE: (512) 536-4598

November 3, 2003

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

November 3, 2003
Date


Steven L. Highlander

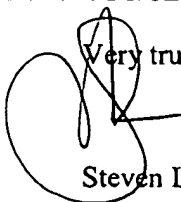
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: *U.S. Serial No. 09/852,587 Entitled: "PREVENTION OF INSULIN-DEPENDENT DIABETES, COMPLICATIONS THEREOF, OR ALLOGRAFT REJECTION BY INHIBITION OF CYCLOOXYGENASE-2 ACTIVITY" by Tahereh Tabatabaie et al.*
(Client Ref. 2000-004-002)
Our Ref. No. OMRP:008US / Matter No. 10112237

Enclosed for filing in the above-referenced patent application is:

1. Response to Restriction Requirement Dated October 3, 2003;
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/OMRF:008US/SLH.


Very truly yours,

Steven L. Highlander

SLH/cpj
Encl: As noted

25353485.1



RECEIVED

NOV 12 2003

TECH CENTER 1600/2900

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 11-3-03 Signature: [Signature]
(Michael Boyd)

Docket No.: 273012012500
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
H. Andrew STRONG et al.

Application No.: 10/072,272

Filed: February 6, 2002

Art Unit: 1617

For: PHOTODYNAMIC THERAPY OF OCCULT
AGE-RELATED MACULAR
DEGENERATION

Examiner: S. Sharareh

RESPONSE TO THE RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action (Restriction Requirement) dated October 3, 2003 (Paper No. 6), for which a response is due November 3, 2003. Accordingly, this response is timely filed.

Claims 1-19 are pending in the above-identified application. The Office has required an election of a single disclosed species of photosensitizer and a single disclosed species of carrier system. Accordingly, Applicants hereby elect the photosensitizer of BPD-MA and the carrier system of liposomes. Applicants request that, upon allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. § 1.141(a).

sd-168726

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 273012012500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 3, 2003

Respectfully submitted,

By Karen R. Zachow
Karen R. Zachow, Ph.D.
Registration No.: 46,332
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
(858) 720-5191